

Remarks:

Applicants note with appreciation that the Examiner has indicated that Claims 1, 3-5, and 7-28 are directed to allowable subject matter. Applicants address the Examiners new § 112 rejections below. Claims 1, 9, 16, and 23 are amended. Claims 1, 3-5 and 7-28 remain in the application.

ARGUMENT

Claims 1, 3-5 and 7-28 are rejected under 35 U.S.C. § 112, second paragraph, as being incomplete for omitting essential elements.

Regarding Claim 1, the Examiner asserts that the claim omits the step of simulating machine instructions. This assertion is in error. It will be understood by those of skill in the art that code and instructions are synonymous in the context of the claimed invention. The claim recites “the simulator executing the translated code.” It will also be understood by one of skill in the art, in the context of the claimed invention, that the translated code are machine instructions that simulate the original machine instructions. The point of translating the machine instructions into “translated code” is to execute the translated code to simulate the original machine instructions. Upon reading the disclosure, this functionality will be understood by those well versed in machine language simulators. However, in order to fully address the Examiners rejections, Applicants amend the claim to recite that the “*results of executing the translated code*” are provided to a user, rather than the “*results of simulating the machine instructions*.” This amendment does not change the scope of the claimed invention, but should obviate the Examiner’s rejection. Thus, Claim 1 and its progeny are believed allowable.

With regard to Claim 9, the same analysis as for Claim 1 applies. Further, the claims also recite that the translated code represents simulated operating system code. Hence, executing code that represents simulated OS code is the same as “simulating machine instructions.” However, in order to expedite allowance of the claims, Applicants amend Claim 9 to recite “*providing results of executing the translated code to a user*.” This amendment does not change the scope of the claimed invention, but should obviate the Examiner’s rejection. Thus, Claim 9 and its progeny are believed allowable.

With regard to Claim 16, the same arguments and analysis as for Claims 1 and 9 applies. Applicants amend Claim 16 similarly to Claim 9. This amendment does not change the scope of the claimed invention, but should obviate the Examiner's rejection. Thus, Claim 16 and its progeny are believed allowable.

Claims 23-28 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject which applicant regards as the invention. Applicants amend Claim 23 to more clearly recite that the original machine instructions of the target processor are in a first instruction set architecture (ISA), but are translated to a run under a second instruction set architecture. It will be understood by those of skill in the art, that translating code from one ISA to another and then executing the instructions, is a simulation of the first ISA. The results of the execution of the translated code provide the user information about the execution of the simulated ISA. There is no disconnect here. The system simulates an ISA (preamble) by translating the code from a first ISA and running it on a system using a second ISA. Providing the results of the execution of the translated code does, in fact, provide a useful and tangible result relating to the simulated ISA. Thus, Claim 23 and its progeny are believed allowable.

Claims 3-5, 7-8, 10-15, 17-22 and 24-28 are believed allowable as being dependent on an allowable base claim. Thus, all of the pending Claims 1, 3-5 and 7-28 are believed allowable and should be permitted to issue at the earliest possible time.

CONCLUSION

In view of the foregoing, Claims 1, 3-5 and 7-28 are all in condition for allowance. If the Examiner has any questions, the Examiner is invited to contact the undersigned at (703) 633-6845. Early issuance of Notice of Allowance is respectfully requested. Please charge any shortage of fees in connection with the filing of this paper, including extension of time fees, to Deposit Account 50-0221 and please credit any excess fees to such account.

Respectfully submitted,

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